

that." ROSARIO stated: "got it, that's fine."

67. At 4:08 p.m., ROSARIO placed another call to (978) 853-8628 and spoke with DOMINGUEZ again, stating: "Primo, I have 6.50 pesos and I was wondering if you want to take the whole thing and you can take your time." DOMINGUEZ replied: "that's fine but I will give you only five hundred, I have two people. I am going to call them and see what they are doing. And see if they can rent you one room." ROSARIO replied: "got it." DOMINGUEZ added: "If they want "those," I will call you right away so I can go get that." ROSARIO replied: "Okay. Then I will call this guy then." I believe ROSARIO reference to DOMINGUEZ taking "the whole thing and you can take your time" was coded for DOMINGUEZ obtaining the drugs, which ROSARIO had left, which I believe is 650 grams of cocaine and taking his time selling it and repaying ROSARIO.

ROSARIO, INFANTE, 62 Jackson Street, 1st Floor, Haverhill, MA

68. At approximately 4:48 p.m., ROSARIO placed a call to INFANTE at (508) 726-4814. During the call, INFANTE asked ROSARIO if he could lend him \$100.00. ROSARIO said all right and INFANTE told ROSARIO he was at the "new place". At approximately 5:11 p.m., agents observed ROSARIO exit 81 Blaisdell, enter his white Oldsmobile and drive to 62 Jackson Street, Haverhill, MA. **DOMINGUEZ, ROSARIO, 139 How Street, Haverhill, MA and 62 Jackson Street, 1st Floor, Haverhill, MA.**

69. Later that day, ROSARIO placed another call to (978)

521-6971, subscribed to Jose Then, and spoke to FREDDY. They made arrangements to meet. Shortly after this call, agents observed INFANTE depart 62 Jackson Street, Haverhill, MA in his blue BMW, followed by ROSARIO in his white Oldsmobile. Agents maintained surveillance on both vehicles.

70. Agents following ROSARIO observed him park in a parking lot across from 139 How Street, Haverhill, MA, the same address as the subscriber to FREDDY's telephone. Agents then observed him walk towards the front entrance of the building. A few minutes later, agents observed ROSARIO depart in his white Oldsmobile.

71. Prior to ROSARIO arriving at 139 How Street, Haverhill, MA, he placed a call to INFANTE and told him that a car with tinted windows was following him. INFANTE stated, "over here is clean" and ROSARIO stated, "he followed you when you left." ROSARIO told INFANTE to stay at "the old" (referring to 12 Dover Street). Alex stated that a "black Mustang" passed him by the "gym". ROSARIO told INFANTE, "shit, let's be careful, keep your eyes open." (I believe that ROSARIO and INFANTE were referring to agents surveillance, which consisted of a black Mustang with tinted windows).

72. At 6:00 p.m. that evening, ROSARIO placed another call to (978) 521-6971 and spoke with FREDDY again, who asked: "did you get your?" ROSARIO replied: "Yes. I put ten pesos of my own." FREDDY replied: "Great. Bring me one more "melon" at the same

place." I believe FREDDY was asking ROSARIO whether he had received the additional drugs and that he asked for a certain amount for himself.

February 26, 2004

ESPINO, ROSARIO

73. On February 26, 2004, at 1:08 p.m., ROSARIO placed a call to (917) 216-7500 and spoke with ESPINO, stating: "I'm going to use the money, but this money is from the credit card and that money is from the store. If those people don't arrive here until Saturday, you have to do something. Remember that." ESPINO responded: "Got it. The money from the credit card I will give you back and that money I will send you back through Western Union." ROSARIO further stated that ESPINO should try to get that because ROSARIO's friend is in trouble. ESPINO stated: "That thing should be taken care of tomorrow. Write it down, the name Gloria Amparo Marmolejo Corea and send it through Western Union to be paid in pesos and send it to (UI), possibly Colombia. ROSARIO replied: "Got it. I'll call you back once the transaction is done. Right now I am playing with my life." Shortly thereafter, ROSARIO placed another call to ESPINO and told him: "the number is 609-846-2181 and the person who we're sending is Julian S. Tabares from Lawrence." ESPINO said: "got it, I'll call you back." (I believe that ROSARIO was wiring money to Colombia to pay off a drug debt for ESPINO so that they could receive additional drugs).

ROSARIO, CASTRO, MONTILLA

74. Later that day, ROSARIO received an incoming call from (809) 772-5932 and spoke to CASTRO. ROSARIO stated that he was talking to "that guy just now and I'll have for you, I can count on 9 pesos." CASTRO said he was going to give his friend ROSARIO's number and asked if there was a problem with that. CASTRO told ROSARIO to write down the number (603) 233-3282. They agreed that ROSARIO would call him when he was ready. CASTRO responded: "Exactly. I'm going to tell you to give him 10 papers that you collected alright (a reference, I believe to \$10,000)." ROSARIO said alright. CASTRO added: "Then you can set it up at the location but call me first." Shortly thereafter, ROSARIO received another call from (809) 772-5932 and spoke with CASTRO, who said: "I wanted to ask you a question. Have you sent money the way I took you that one time?" ROSARIO responded: "Yes. That was my friend, the one that gives me, you know?" ROSARIO added: "He asked me if I knew of a place." CASTRO responded: "Man, you were wrong in doing that. I'm sorry man." He added something unintelligible and ROSARIO responded: "Don't play. Man! Don't tell me that." They continued to have a fairly heated discussion about some misunderstanding that had been created with associates of theirs. ROSARIO stated at one point: "No, no. Next time, no and that's it. It won't be done. Man! That guy told me about that a few days ago about that. I want to send that "this and that, you know. He's the one that

saw me today, you see. He saw me and you know how should I tell you." CASTRO responded: "That's fine. We'll see how we can resolve that. Don't worry about that. But if you would have told me, everything would be clear. You see." At one point in the conversation, CASTRO stated: "No, no. Don't stop now, but you made me hot without knowing it." He added that he would have to go there and resolve that. Rosario responded: "Shit!" They agreed to talk later in person.

75. Later that evening, ROSARIO received an incoming call from (603) 233-3282 and spoke with a male referred to as "Jose", later identified as George MONTILLA. ROSARIO stated: "Man, I was counting on that guy but he called me just now and told me that he would see me first thing tomorrow morning." MONTILLA agreed, stating these people will have to wait and asked what time tomorrow. They agreed to talk at around 10 or 11. ROSARIO added: "I have a little something here but I have two people for tomorrow."

INFANTE, ROSARIO, ERAZO, 81 Blaisdell Street, Haverhill, MA,

Break-in and Theft at ROSARIO'S Apartment

76. Later that evening, ROSARIO placed a call to (508) 726-0667 and spoke with INFANTE, informing him that his apartment had been broken into. ROSARIO said he didn't know who did it but added: "I think it was them, Compi. I'm afraid they'll do that to other people too." He added that the front door was wide open and "the hollow area was open too." INFANTE asked: "they went

into the hollow area?" ROSARIO responded: "Yes, they knocked it all out." INFANTE stated: "Go to my house and stay there." ROSARIO stated: "Shit." I believe that ROSARIO was informing INFANTE that his house had been robbed and his stash location discovered and whatever was in it stolen. INFANTE and ROSARIO discussed which of his people could have been involved and ROSARIO said that Colon and Cavito and Cunato would not have known where the stash was. INFANTE stated: "How were they able to go straight to the 'puntilla' (stash)?" ROSARIO stated: "The only one that knew was Colon because he saw me one day." INFANTE asked did they leave a paper on the door, referring, I believe, to a search warrant, and ROSARIO responded "No. I'm afraid that it might be some people because of the way things are right now." INFANTE agreed that it was probably not the police or else they would have gone to arrest ROSARIO at the store.

February 27, 2004

ROSARIO, MONTILLA

77. On February 27, 2004, ROSARIO engaged in two telephone calls over Target Telephone #1 with MONTILLA at (603) 233-3282. MONTILLA informed ROSARIO that certain people had been waiting on him and added: "that's fine if he doesn't resolve all of it, have you been able to gather up tickets, what's needed?" ROSARIO stated that you have all but the next morning." MONTILLA stated: "Unfortunately tomorrow, how much do you have?" and ROSARIO responded that he had around "9" (a reference, I believe to

\$9,000). They discussed the fact that somebody else was supposed to stop by the store and MONTILLA stated that he would be there in 20 to 25 minutes and: "if he hasn't come by then I'll just take what you have," adding that "these people have to leave". ROSARIO told him to come by, but be careful. ROSARIO added that the guy "that I'm waiting on has to give me 17 pesos. He might bring 7 or 8 so I'll square you away." He added that another one would be coming by the next morning. MONTILLA stated: "I can't assure that I'll be here tomorrow because I might have to go up to New York tomorrow morning but that's no problem, you can take it to my friend Felix." I believe that ROSARIO was informing MONTILLA that he was in the process of collecting money to pay MONTILLA for what is believed to be a drug transaction.

March 1, 2004

ROSARIO, MAGA and JIMENEZ GROCERY

78. On March 1, 2004, ROSARIO placed a call to (978) 681-5394, the number for JIMENEZ Grocery and spoke with Isa JIMENEZ. She advised him that HECTOR called and wants to know if you can meet him here at 12:30. ROSARIO replied "tell him to drop by and leave those things he needs to leave." I believe that ROSARIO was advising JIMENEZ to pass a message to "MAGA" to leave possible drug proceeds at the store for ROSARIO to pick up.

March 2, 2004

ROSARIO, TUTO, INFANTE, 73 East Haverhill Street #2A, Lawrence,

MA

79. On March 2, 2004, at 9:16 a.m., ROSARIO received an incoming call over Target Telephone #1 from "TUTO". TUTO told ROSARIO, "I have a meeting with some people, they want to give me half of some mantequella." (I believe that "mantequella", which means butter in Spanish, is a reference to $\frac{1}{2}$ a kilogram of heroin, based on the fact that the word "manteca", which also means butter in Spanish, is a common term used for heroin). TUTO then asked ROSARIO: "don't you have some people to make a couple of pesos?" ROSARIO responded, "not that" and TUTO asked, they are also going to bring some grass, are your people still around." ROSARIO answered, "yes, they are." ROSARIO asked TUTO whether he "did it yet" and TUTO stated, "we'll talk about that in a while, don't worry." ROSARIO told TUTO, "this way I know what I can put together for those people." TUTO stated that he was going to "meet those people in a half hour" and ROSARIO told TUTO "call me".

80. At approximately 9:47 a.m., TUTO called ROSARIO on Target Telephone #1 and asked ROSARIO for his "address" and ROSARIO stated: "somewhere else, I don't like it here." TUTO responded, "alright, go to my house, I'll see you down there."

81. At approximately 9:49 a.m., ROSARIO placed a call to INFANTE at 508-726-0067. During the call, ROSARIO told INFANTE that he had to talk with a "person" and INFANTE told him to go ahead because he needed to run an errand. ROSARIO asked "at the Branch?" and INFANTE told ROSARIO to call him "immediately".

ROSARIO told INFANTE, "he told me to come around and talk to him and I'm going to do it now." I believe that ROSARIO was asking INFANTE whether he wanted some of the marijuana that TUTO was offering earlier in the day and that TUTO was planning to do the deal at his house.

82. At approximately 10:24 a.m., agents responded to the vicinity of TUTO's residence, 73 E. Haverhill Street, Lawrence, MA and observed ROSARIO's gray Olds (MA 62FG11) parked on Vine Street around the corner from 73 East Haverhill Street. Agents observed ROSARIO in the driver's seat and a Hispanic male, subsequently identified as TUTO, in the passenger seat. About 16 minutes later, at approximately 10:40 a.m., agents observed TUTO get out of the passenger side of the Oldsmobile and crouch down by the passenger side door to talk to ROSARIO through the window. Moments later, ROSARIO departed and agents observed TUTO proceed on foot a short distance away to 73 East Haverhill St., Lawrence, and enter the building.

83. At approximately 10:40 a.m., moments after TUTO left ROSARIO, ROSARIO placed a call over Target Telephone #1 to INFANTE, (508) 726-0667, subscribed to Shiela Tricochi, 14 Dover Street, Haverhill, MA. During the call, ROSARIO told INFANTE that he was near the store and INFANTE replied that he would see ROSARIO in 15 minutes.

84. At approximately 11:45 a.m., surveillance was initiated at JIMINEZ GROCERY, 112 Parker St., Lawrence, MA. At this time

agents observed ROSARIO's gray Olds (MA 62FG11) and INFANTE's, blue BMW (NH 1814997) parked, unoccupied, on Parker St., in front of JIMENEZ GROCERY. At approximately 11:50 a.m., Luis ERAZO exited the store and entered the driver side of INFANTE's's BMW. Several seconds later, INFANTE walked out of the store carrying a light colored shopping bag and entered the passenger side of the BMW.

85. At approximately 2:35 p.m., ROSARIO received an incoming call from TUTO. TUTO told ROSARIO that he was talking with a guy who is the "owner of the stuff." TUTO asked ROSARIO, "Do you know what I mean?" and told ROSARIO that the male wanted to "see you, so you can order or whatever." ROSARIO stated, "we better talk in person" and told TUTO that he would be there in about 10 minutes.

86. At approximately 3:13 p.m., agents were conducting surveillance in the vicinity of TUTO's residence at 73 East Haverhill Street, Lawrence, MA and observed ROSARIO's gray Olds (MA 62FG11) driving by on East Haverhill. A few minutes later, agents observed ROSARIO's Oldsmobile drive around the block and park on Vine St. near the corner of East Haverhill Street. Agents then observed TUTO exit the passenger side of ROSARIO's Oldsmobile and observed ROSARIO drive off. Agents observed TUTO walk around the corner towards 73 East Haverhill Street. By the time agents drove around the corner, TUTO was gone.

DOMINGUEZ, ROSARIO, 82 Temple Street, Haverhill, MA

87. At approximately 7:25 p.m., ROSARIO called DOMINGUEZ at (978) 853-8628, subscribed to Anselmo DOMINGUEZ, 82 Temple St., Haverhill. ROSARIO told DOMIGUEZ that he needed to talk with him and stated that he could be there in 20 minutes. At approximately 7:44 p.m., ROSARIO placed another call to DOMINGUEZ and stated that he was in front of DOMIGUEZ's house.

88. Minutes later, at approximately 7:50 p.m., agents observed ROSARIO's gray Oldsmobile parked outside DOMINGUEZ's residence at 82 Temple Street, Haverhill, MA. At approximately 8:25 p.m., agents observed ROSARIO walk from 82 Temple Street to the Oldsmobile and depart the area.

March 3, 2004 - March 4, 2004

ESPINO, ROSARIO

89. On March 3, 2004 and March 4, 2004, ROSARIO placed a series of calls from Target Telephone #1 to ESPINO, in which they discussed what I believe to be the purchase of 6 kilograms of cocaine from sources in New Jersey. On March 3, 2004, at 5:57 p.m., ESPINO called ROSARIO at Target Telephone #1 and told him, "they told me that I can get 6 at 19 from Pedro. But those are going to be cash" (a reference, I believe, to 6 kilograms of cocaine for \$19,000 each). In response, ROSARIO stated: "shit, it has to be cash." ESPINO told ROSARIO to talk to his customers and to call him back.

90. About 7:17 p.m., ROSARIO placed another call to ESPINO using Target Telephone #1 and told ESPINO, "I was talking to my

friend and we want to bring you 40-50 pesos." ESPINO told ROSARIO that he only needed "35 pesos first" in order to get the "6 people" (referring, I believe, to a \$35,000 down payment to obtain the 6 kilograms of cocaine).

91. On March 4, 2004, at 3:26 p.m., ROSARIO called ESPINO using Target Telephone #1 and told ESPINO: "I am going to give your number to one of my buddy." A few minutes later, at 3:33 p.m., ROSARIO called ESPINO using Target Telephone #1 and stated: "he called me." ESPINO told ROSARIO: "if you want that, you need to come down here or send him." After further discussion about how the exchange would take place, ROSARIO told ESPINO that he would "talk to him" and then call ESPINO back. At 3:45 p.m., ROSARIO called ESPINO back using Target Telephone #1 and ESPINO stated; "I'm going to tell him to come down." ESPINO then asked: "what, does he want to see the six guys." In response, ROSARIO stated: "they need to make sure that those things are okay."

March 5, 2004

**VELASQUEZ, MONTILLA, ROSAIRO, JIMENEZ GROCERY, 22 HillTop Street,
Lawrence, MA - 1 KILOGRAM TRANSACTION**

92. On March 5, 2004, at 1:08 p.m. ROSARIO, using Target Telephone #1, called VELASQUEZ. During the call, VELASQUEZ told ROSARIO that he needed "four hundred" in a hurry and would give the "tickets" back immediately. I believe VELASQUEZ was asking for 400 grams of either cocaine or heroin and was assuring ROSARIO that he would repay him the money ("tickets") right after

the deal. In response, ROSARIO asked VELASQUEZ: "what about 24 and 1/2. (referring I believe to \$24,500 for a kilogram).

93. About 4 minutes later, at 1:12 p.m., the pen register on Target Telephone #2 indicated a call to (603) 233-3282, which is used by MONTILLA. At the time, we did not have authorization to intercept communications over Target Telephone #2 and did not intercept this conversation.

94. Two minutes after this call, ROSARIO placed a call using Target Telephone #1 to VELASQUEZ and told him: "you can count on it." VELASQUEZ asked ROSARIO: "how much are you going to get me?" ROSARIO answered: "a full one". ROSARIO told VELASQUEZ he would have it at three thirty. In response to this call, agents established surveillance in the vicinity of Jimenez Grocery with the intent of seizing the kilogram of cocaine after VELASQUEZ left the store with it.

95. At 3:55 p.m., the pen register on Target Telephone #2 indicated a call to MONTILLA's telephone (603) 233-3282. Two minutes later, at 3:57 p.m., ROSARIO called VELASQUEZ on Target Telephone #1 and told him that the guy would be about "forty minutes".

96. At approximately 6:43 p.m., agents conducting surveillance in the vicinity of JIMENEZ GROCERY observed a male walk from the direction of a red Chevy SUV (NH Reg. 1737641) into the store. A registration check on the vehicle indicated that it was registered to Luis CASTRO, 1 Clocktower Place, #114, Nashua,

NH. On this day, CASTRO was in the Dominican Republic and I believe that the individual driving the red Chevy was MONTILLA. Because it was night, agents were unable to positively identify the individual as MONTILLA. Moments later, ROSARIO called VELASQUEZ using Target Telephone #1 and told VELASQUEZ: "come by and pick up your number."

97. Agents then observed the male exit the store and depart in the red SUV. Agents followed the SUV to the vicinity of Haverhill Street and Bellevue Street, Lawrence, MA and then lost sight of the vehicle. The next morning, agents searched the area around Bellevue Street and located the red Chevy SUV parked in the driveway of MONTILLA's residence, at 22 HillTop Street, Lawrence, MA, in front of a tan Toyota Camry (MA Reg. 5475WP) .

98. At 7:00 p.m., agents observed a male fitting the description of VELASQUEZ exit JIMENEZ GROCERY carrying a large brown paper bag, walk across the street and depart in a blue Honda. Agents identified the license plate as VELASQUEZ's vehicle and attempted to dispatch a marked Lawrence Police cruiser, which was standing by, to stop the vehicle. The Honda took several turns, however, and surveillance lost sight of the Honda before the cruiser could catch up.

March 9, 2004

ROSARIO, VELASQUEZ, MONTILLA, 22 Hilltop Street, Lawrence, MA

99. On March 9, 2004, at approximately 8:41 a.m., ROSARIO called MONTILLA at (603) 233-3282. During the call, ROSARIO

stated: "I have not talked to him yet" and told MONTILLA that he was going to "see him" and then call MONTILLA back.

100. At approximately 9:13 a.m., ROSARIO called VELASQUEZ at (978) 590-1716, subscribed to VELASQUEZ at 38 Essex Street, Lawrence, MA. ROSARIO obtained VELASQUEZ's voicemail and left a message: "call me because "I have those people waiting for me". At approximately 12:55 p.m., ROSARIO placed another call to VELASQUEZ at (978) 590-1716. During the call, VELASQUEZ told ROSARIO: "my friend got in trouble, I called him and his wife told me not to call him because he can't use the phone." ROSARIO asked VELASQUEZ: "How much do you have on hand?" and VELASQUEZ told ROSARIO that he would call him back. VELASQUEZ then told ROSARIO that he would be there at "seven" and told ROSARIO to: "tell those guys to be there at seven thirty."

101. At approximately 12:57 p.m., MONTILLA called ROSARIO and ROSARIO stated: "I just talked to this mother fucker and he told me that his friend got in trouble and that he was unable to use the phone." ROSARIO then stated: "he told me, tell them that he will be at the store at seven." MONTILLA then told ROSARIO: "relax, lets keep working, I will be there after seven."

102. At approximately 6:32 p.m., ROSARIO called VELASQUEZ at (978) 590-1716 and VELASQUEZ told ROSARIO: "I'm waiting on some tickets that a guy went looking for." ROSARIO asked: "how much are we going to get?" VELASQUEZ answered: "I'll bring you something heavy" and told ROSARIO: "tell him to be here at

eight."

103. At approximately 8:29 p.m., ROSARIO placed another call to VELASQUEZ at (978) 590-1716. ROSARIO asked VELASQUEZ: "how much do you have?" VELASQUEZ answered: "seven thousand pesos" and told ROSARIO: "this guy has to give me eight". ROSARIO then put MONTILLA on the telephone to talk to VELASQUEZ. VELASQUEZ told MONTILLA: "I'm here waiting for the guy that has to give me some money. I already have a portion at home." MONTILLA asked VELASQUEZ: "what time more or less?" and VELASQUEZ answered: "when he shows up, I'm not getting out here without that."

104. Agents conducting surveillance in the vicinity of JIMENEZ GROCERY observed a red Buick, (MA Reg. 1522EX), registered to Eligio ROLFFOT, 37 Eutaw St. Lawrence, Ma., parked next to JIMENEZ GROCERY. Agents observed the vehicle running with a Hispanic male sitting in the driver's seat, who was later identified as Eligio ROLFFOT on March 12, 2004. At approximately 8:40 p.m., agents observed the red Buick depart with ROLFFOT driving and MONTILLA, who was also identified on March 12, 2004, in the front passenger seat. Agents maintained mobile surveillance on the Buick to the vicinity of Haverhill Street and Bellevue Street, Lawrence, MA. A few minutes later, I drove past 22 Hill Top Street, Lawrence, MA and observed the Buick parked in the far right side of the driveway in front of the residence. I believe ROSARIO was attempting to obtain drug proceeds for VELASQUEZ to repay MONTILLA for a prior drug delivery.

TUTO, ROSARIO

105. On March 9, 2004, at approximately 2:13 p.m., ROSARIO called "TUTO" at (978) 390-3841. During the call, TUTO stated that he was calling to let ROSARIO know that you could "stop by around six to pick up that." At approximately 8:52 p.m., ROSARIO called "TUTO" at (978) 390-3841 and asked, "are you there?" TUTO responded, "yes" and ROSARIO told TUTO he would be there in "two or three minutes." I believe ROSARIO was making arrangements to deliver drugs to TUTO.

March 11, 2004 - March 13, 2004

106. On March 11, 2004, ROSARIO called VELASQUEZ at (978) 590-1716, subscribed to Lorenzo VELASQUEZ, 38 Essex Street, 2nd Floor, Lawrence, MA. During the call, VELASQUEZ told ROSARIO: "I am going to resolve that for you. I had problems with the guy over there." VELASQUEZ further stated: "I am going to send you 8,000 pesos that I have at the house tomorrow." ROSARIO told VELASQUEZ: "I have a serious problem with those people and they said that they were going to be over there tomorrow at 10:00 a.m." ROSARIO told VELASQUEZ: "You should've called, even if it's not all complete, at least we can give them the 8." VELASQUEZ stated that he doesn't like "giving one thing now and another thing later." ROSARIO responded: "I'm still telling those people that you wouldn't do that to me. You and I have gone further." ROSARIO further stated: "these are good people...people where we can continue to eat from. They have

good stuff too." VELASQUEZ and ROSARIO then agreed to meet the next day. I believe ROSARIO was advising VELASQUEZ to repay the drug debt owed to ROSARIO's suppliers because they supplied high quality drugs ("good stuff").

107. The next day, March 12, 2004, at approximately 9:00 a.m., surveillance was established in the vicinity of JIMENEZ GROCERY, 112 Parker Street, Lawrence, MA, in response to the call the night before. Upon arriving at the business, I observed ROSARIO's gray Oldsmobile (MA Reg. 62FG11), registered to Luis ERAZO, parked on Bailey Street, next to JIMENEZ Grocery. At approximately 9:05 a.m., ROSARIO placed a call to VELASQUEZ at (978) 590-1716. During the call, VELASQUEZ agreed to meet ROSARIO at "the store" (a reference to JIMENEZ GROCERY).

108. About 35 minutes later, at approximately 9:40 a.m., ROSARIO received an incoming call from MONTILLA at (978) 394-1193, unknown subscriber. During the call, ROSARIO told MONTILLA: "I got in touch with that person last night, a little while after I talked to you." ROSARIO further stated: "He is coming to bring me something and I'll let you know." MONTILLA told ROSARIO: "then I am going to tell those people not to come up here, because they were coming this way" (a reference, I believe, to MONTILLA's suppliers).

109. At approximately 10:05 a.m., agents observed VELASQUEZ arrive in his blue/gray Honda Accord (MA Reg. 60TZ09), registered to VELASQUEZ at 38 Exeter Street, Lawrence, MA and park in front

of JIMENEZ GROCERY. Agents observed VELASQUEZ exit the Honda, wearing a black leather jacket and ball cap and enter the store. A few minutes later, agents observed VELASQUEZ exit the store and depart in the Honda.

110. At approximately 10:16 a.m., ROSARIO called MONTILLA at (603) 233-3282, subscribed to Antonio BANDERAS, no address given. During the call, ROSARIO told MONTILLA: "He just got here and gave me five pesos (a reference to \$5,000) and at seven, he is going to bring me another five." ROSARIO further stated: "he tells me that we are going to finish the day after tomorrow." MONTILLA told ROSARIO: "I'm going to pick that up now, I'm going to call these people to hold on."

111. At approximately 10:43 a.m., agents observed a tan Toyota Camry (MA Reg. 5475WP), park next to JIMENEZ GROCERY on Bailey Street behind ROSARIO's gray Oldsmobile. A registration check on the vehicle indicated that the registration was revoked due to insurance cancellation. Agents previously observed the Camry on parked in front of MONTILLA's residence at 22 Hill Top Street, Lawrence, MA on March 6, 2004 and March 9, 2004. Moments later, I then observed MONTILLA, wearing a leather jacket, walk from the vehicle into JIMENEZ GROCERY.

112. At approximately 10:50 a.m., agents observed MONTILLA exit the store and meet with another male, wearing a blue jean jacket, later identified as Pablo ROBLES outside the front entrance of JIMENEZ GROCERY. Agents then observed the vehicle

depart with three male occupants. Surveillance was maintained on the Camry for some time. After it made a stop in a parking lot, a marked State Police vehicle stopped the Camry on Park Street and Exchange Street in Lawrence, MA and issued ROBLES, who was operating the vehicle, a citation for operating a motor vehicle after revocation of the registration. The occupants were then asked to exit the vehicle so it could be towed. A Trooper conducted a pat frisk of MONTILLA as he exited the vehicle and found \$5000.00 in his jacket pocket and another \$2,150.00 in his front pants pocket. When MONTILLA was questioned about the \$7,150.00 in United States Currency that he was carrying around in his pockets, he stated that he had saved the money over the last two months, working as a cab driver and in the construction business pouring concrete.

113. The Camry was towed to Coady's Tow yard in Lawrence, MA. A State Police K-9 officer later arrived at Coady's and the K-9 alerted to the presence of drugs in the area around the glove box of the Camry. A subsequent search, however, came up negative for drugs in this area.

114. Later in the day, at approximately 6:40 p.m., ROSARIO received a call from JOSE using telephone number (978) 394-1193. During the call, MONTILLA told ROSARIO: "Man, I knew that I was going to have bad luck with you." ROSARIO asked: "what happened?" and JOSE stated, "that was lost this morning." MONTILLA told ROSARIO that he lost "that and one thousand and